

1984 Carnage in Delhi

A Report on the Aftermath

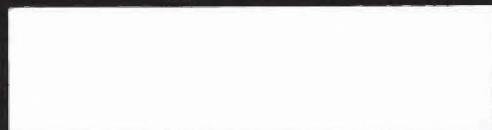
People's Union for Democratic Rights
Delhi
November 1992

CRIME AND PUNISHMENT

Number of people killed: 2733



FIRs Registered: 1419



Convictions: 10



Note: All figures are official. The figures given relate to the number of murders and not cases.

Then & Now

1984

		1984	1992
P.V. Narasimha Rao	Home Minister	Prime Minister	Became Central Cabinet Minister. Presently President DPCC(I)
H.K.L. Bhagat	Member of Parliament		Member of Parliament
Sajjan Kumar	Member of Parliament		After being denied ticket in the last elections, he implicated Congress(I) in the riots
Dharam Das Shastri	Member of Parliament		Joined Congress(I)
P.G. Gavai	Lt. Governor, Delhi		Became Chief Justice A.P. High Court. Presently Judge, Supreme Court
Yogeshwar Dayal	Judge, Delhi High Court		Retired as Chief Justice Judge, Delhi High Court
Ranganath Mishra	Judge, Supreme Court		
R.L. Gupta	Secretary, Mishra Commission (1985-1987)		
R. K. Anand	Govt. Council in case the against Sajjan Kumar (1989)		Represented Sajjan Kumar in 1990
Hukum Chand Jatav	Additional Commissioner of Police		Promoted. Recently retired as DG, Civil Defence, became an associate of Janata Dal
Sewa Das	DCP, East District		Promoted, Principal, Police Training School
Chandra Prakash	DCP, South District		Promoted, Anti Corruption Cell

रोग बन कर रह गया
प्यार तेरे शहर का
मैने मसीहा देखा है
बीमार तेरे शहर का
जहां मौत के बाद भी
कफन नहीं हुआ नसीब
कौन पागल अब करे
ऐतबार तेरे शहर का

जिवन भार बालय



eddie

*.... the struggle of man against power is the
struggle of memory against forgetting.*

Milan Kundera

Everything would be brought under control within a couple of hours.

P.V. Narasimha Rao
Home Minister
On the situation in Delhi
Evening of 31 October 1984

The exercise is on and there is no point in rushing to conclusions.

S.B. Chavan
Home Minister
On the prosecution of the accused
12 January 1992

Time has no discriminatory qualities. It heals even those wounds which should not be healed. Eight years are now past. The organised massacre of Sikhs in Delhi has receded in public memory. But those whom the dead left behind continue to wait for justice. Any attempt to trace the course of their lost battle perhaps may not be of much use to them. But it is necessary for those who are still concerned with secular and democratic values. This report is an attempt to recall and record the demonstrative failure of all democratic institutions in the aftermath of the 1984 carnage, in Delhi.

From about the evening of 31 October 1984, as the news of the assassination of Mrs. Indira Gandhi spread, disturbances erupted in the city. For almost four days rampaging mobs went on a spree of arson, loot and killing. Army troops moved in on the evening on 3 November and the situation was gradually brought under control. By then Nagrik Ekta Manch, a citizens group that spontaneously came up, began helping the survivors. On 17 November, PUDR and PUCL released their report "*Who are the Guilty*". Among other things the report carried in an annexure the names of the people against whom allegations were levelled by the victims. They include 198 local Congress(I) activists and others, 15 Congress(I) leaders and 143 police officials. The main findings of this report were further substantiated by the report of the Citizens For Democracy in January and another report by a Citizens Commission headed by former Chief Justice of India, S.M. Sikri. All organisations demanded a judicial enquiry over the carnage. PUDR and PUCL approached Delhi High Court praying for the enquiry. The petition was arbitrarily transferred from one bench to the other and dismissed by a bench headed by Justice Yogeshwar Dayal. Meanwhile the government began appointing committees on matters relating to the carnage, the latest being appointed in March 1992. In the tortuous course of administering justice at every single step a technical flaw or a knot was created, which doomed the next step. And every committee gave birth to another. The process is still going on.

Police Mechanism

On 4 November, Subhash Tandon, the then Commissioner of Police, Delhi ordered an enquiry into the incidents at Mangolpuri. The enquiry was headed by a DCP. But it was abandoned soon as on 25 November the new police commissioner appointed a city level enquiry by Ved Marwah. The appointment

of this Committee was cited as the reason for rejecting the PUDR-PUCL petition in the court. The Marwah Committee was in the last stages of enquiry when two senior officers, Chandra Prakash and Sewa Das went to court and obtained a stay on the Committee. By the next adjournment the government itself declared the Marwah Committee redundant as the Mishra Commission was appointed.

The union government also appointed R.C. Shrivastav Committee to enquire into the police mechanism so as 'to strengthen it to prevent future such disturbances'. The Committee submitted its report in June 1985 and recommended increasing three more police subdivisions and 25 more police stations. This is just about the only committee whose recommendations were readily accepted and promptly implemented. A sum of Rs. 310 million was immediately allocated.

Compensation and Rehabilitation

The Delhi Administration appointed G.S. Dhillon Committee to look into compensation and rehabilitation. It recommended Rs 10,000 for death, Rs 1,000 for injury and Rs 5,000 for damage to dwellings. The administration accepted the claims relating to 2427 deaths, 2403 injuries and 3537 cases of damage to houses. But it rejected the claim of over 7000 other applicants. Subsequently, Delhi High Court upheld the claims of 1128 of them. Much later in February 1987, government doubled the compensation in cases of death following the recommendation of Mishra Commission. Altogether Rs. 152 million were spent on compensation. About 1932 families in Delhi were allotted plots or houses in Tilak Vihar and later in Sector 15 Rohini (Another 11,984 families shifted to Punjab and were recognised as refugees. Rehabilitation measures were taken in their case also.) Dhillon Committee also recommended loans from nationalised banks. A total of Rs. 340 million was disbursed at the rate of 12.5 percent interest per annum.

Expenditure to strengthen police mechanism
(Srivastav Committee)

Rs. 31 crores

Expenditure on compensation to victims
(Dhillon Committee)

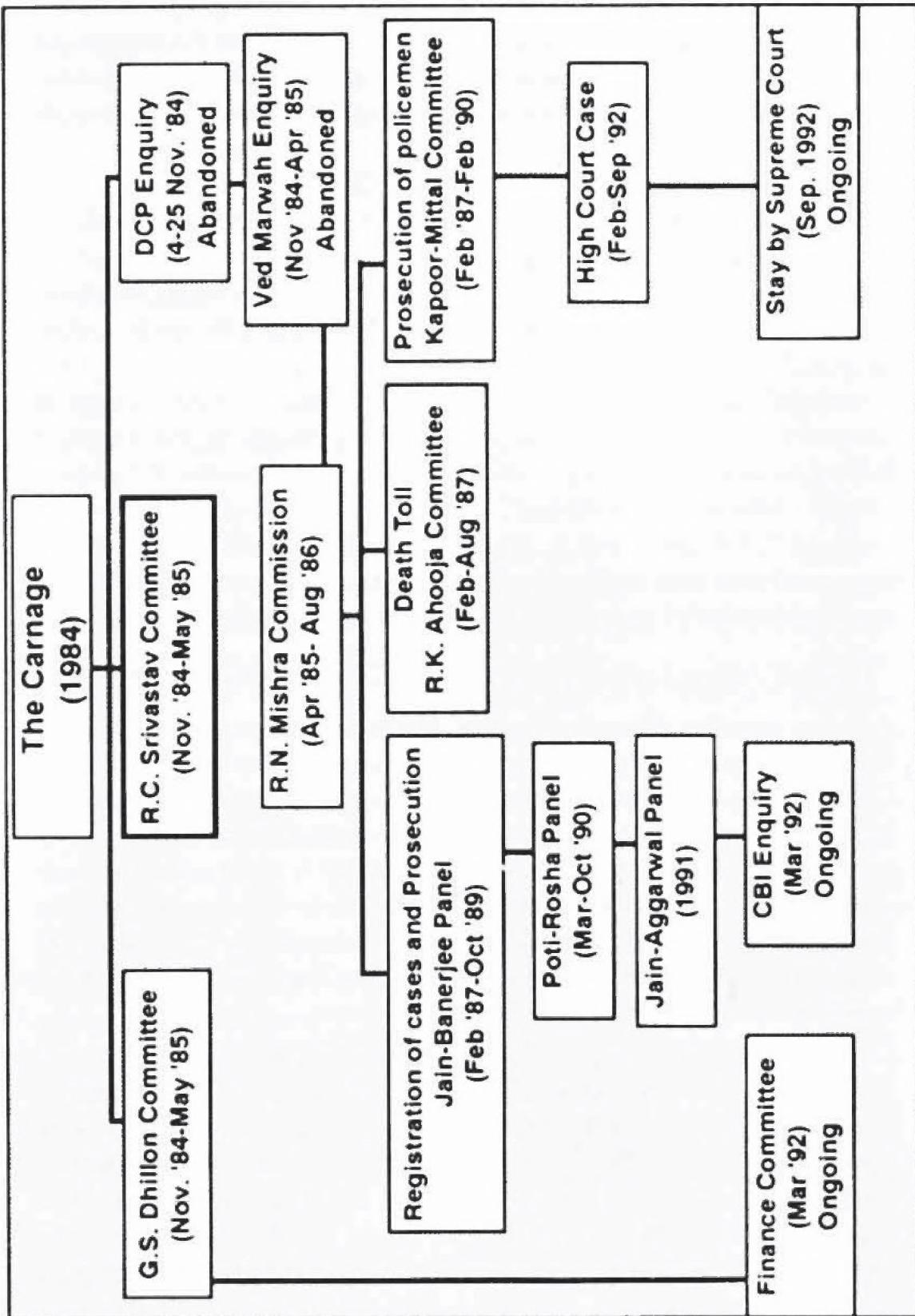
Rs. 15.2 crores

A few years later as the banks started recovery process, victims went to court. Supreme Court stayed the operations in November 1989. In March 1990 the Janata Dal Government reduced the interest rate to 6 percent. But as the victims continue to demand reduction of interest rate and slowing down the recovery process, the government appointed a fresh committee in March 1992. It consists of Additional Secretary, Ministry of Finance, Joint Secretary, Ministry of Home, Home Secretary, Delhi Administration and a senior official of the Reserve Bank of India. The committee appears to be alive. In matters relating to compensation there was only one decisive judicial intervention. But that is outside Delhi. 39 Sikh families living in Coimbatore, Tamilnadu, suffered extensive damage to their property estimated to be around Rs 10 million. Indian Association of Lawyers filed a public interest petition charging the state of failure of its constitutional obligations and violations of rights of people (Articles 14, 19(1)(g), 21, 39, and 300(A) of the Constitution). In 1988 Justice S.A. Kader of Madras High Court upheld the argument and ordered compensation. It is a rare case where state was ordered to pay for its inaction in protecting the citizens.

One Commission and Five More Committees

Six months after the riots in April 1985, Justice Ranganath Mishra Commission was appointed under section 3 of The Commissions of Inquiry Act, 1952. Since Independence over 15 judicial commissions on communal disturbances have been instituted. All of them were appointed to "inquire into nature and disturbances". But strangely the Mishra Commission was appointed to inquire into "allegations in regard to the incidents of organised in Delhi". In that sense the Commission was not a commission on Delhi disturbances.

The Commission disallowed the participation of PUDR and PUCL. Others who were allowed, including Citizens Justice Committee and, Nagrik Ekta Manch, subsequently withdrew in protest against the arbitrary nature of the procedures adopted by the Commission. On the other hand the Commission received a total of 2266 (78 percent of the total) 'affidavits against the victims', as the Commission itself described them! (Vol. 2, p.3). As the report noted "Implicating of Shri Bhagat was perhaps in the air and hundreds of affidavits were filed before the Commission....to say that Mr. Bhagat had no role in organising the riots" (Vol. 1, p.26). The Commission submitted its two-



volume report in August 1986 which was placed before the Parliament six months later in February 1987, full 27 months after the carnage. On the role of Congress(I) politicians, the report mentions one leader in the text and clears him there and mentions one leader in the appendix and clears him there, mentions two other leaders but did not clear them anywhere. It indicted 19 local level Congress(I) men whose names were not mentioned either in the text or in the appendix. It merely cites an affidavit in which the names were mentioned. (Six of them also figure in the PUDR-PUCL report). On practically every other matter the Commission recommended setting up further committees. Thus Mishra Commission gave birth to three more committees, all in February 1987. The first was to "ascertain the death toll in the riots". Headed by R.K. Ahooja, the then Home secretary of Delhi administration, the committee six months later arrived at the figure of 2733 killed in the carnage.

The second committee appointed was "to enquire into delinquencies and good conduct of police". It was headed by Justice Dalip Kumar Kapoor, the former Chief Justice of Delhi High Court, and Kusum Lata Mittal, a retired secretary of Central Government. From the beginning the two disagreed over the scope of the committee and the procedures to be adopted. Finally three years later they submitted their separate reports. Kapoor submitted a general report without going into the conduct of particular police officers. Kusum Lata Mittal identified a dozen police officials who had done a creditable job during the riots. She also recommended action against 72 policemen. The report suggested summary dismissal of six officials (Art. 311(2)(b); Constitution). They included Chandra Prakash and Sewa Das who earlier went to court against the Marwah Committee. Another official, the then Additional Commissioner of Police, Hukum Chand Jatav alleges that he was implicated because he was from Scheduled Caste. Recently, subsequent to his retirement in October 1992, he joined a Janata Dal rally demanding punishment to the guilty of the carnage! Ms. Mittal also recommended departmental proceedings with major penalties against 34 officials and a further probe against 32 policemen. The government sat on the report for almost two years and suddenly dusted it on February 1992, on the eve of Punjab elections. The complete report of Ms. Mittal is not yet disclosed to the public but the names appeared in newspapers. As far as we are able to figure out, the names include almost all

BLOCK 32,

An incongruously empty space of land tucked within otherwise congested alleys greeted us when we visited block 32, Trilokpuri, in October 1992. Eight years ago.

"when members of our team reached Trilokpuri at about 7 a.m., on 3 November, we found the survivors -- old men, women and children -- some of them with severe burns, huddling together in the open on the main road... as soon as we entered Block 32, we were greeted by a strong stench of burnt bodies which were still rotting inside some of houses. The entire lane was littered with burnt pieces of furniture, papers, scooters and piles of ash in the shape of human bodies -- the unmistakable signs of burnt human beings. Dogs were on the prowl. Rats were nibbling at the still recognisable remains of a few bodies"

Who Are the Guilty? (p. 23)

According to the report on Farash Bazar Camp by Nagrik Ekta Manch, people of this block -- coolies, carpenters, ricksha pullers, charpai weavers -- were mostly Labana Sikhs. Refugees from Sindh they originally settled in Alwar, Rajasthan and then gradually shifted to Delhi. In 1975 6 during the emergency they were forced to settle in this block

At that time the block had seen the worst of the massacres. For about 40 hours organised mobs went on a rampage. The official estimate of killings later put the toll at 95. But CFD report puts it at around 450. Many women were raped or were abducted to nearby Chilla gaon from where some of the attackers were reported to have come. Some of the women later gave accounts of the gang rapes to the Citizens Commission. The mobs that attacked the block were allegedly organised by a local Congress(I) councillor Dr Ashok Kumar. Police from Kalyanpuri police station, in which the block then fell, actively connived with the mobs. The SHO of the thana, Survir Singh, in fact was one of the two SHOs suspended in the immediate aftermath. But subsequently the orders were withdrawn and he even got promotion. Only recently again he was indicted in the Kusum Lata Mittal Committee report. In August 1991 an FIR against the councillor was also lodged. Since it appears to be one of the twenty two cases that were handed over to the CBI for further investigation, no action has been taken on the FIR

TRILOKPURI

Police connivance and inaction was particularly glaring in this block during the carnage. Two reporters of *Indian Express* tried their best to get some help while the carnage was going on, and pleaded with a number of police officials, from the police station level to the headquarters. Finally both of them, Rahul Kuldip Bedi and Joseph Maliakan, officially lodged a complaint with the Commissioner of Police on 5 November 1984. In specific, they registered complaint of criminal negligence against H.C. Jatav, Additional Commissioner of Police, Nikhil Kumar, Additional Commissioner of Police, East district, and Sewa Das, DCP East District. Jatav and Das were among those whose summary dismissal was recommended by the Mittal Committee. As the prolonged legal battle on the report still goes on, no action was initiated against them. All of them in the meantime got promotions.

Sometime in the evening of 2 November, CRPF troops arrived in Block 32. The survivors of the family began their exodus. They were initially camped in Farash Bazar camp. Some of them were later allotted plots in Tilak Vihar and still later in Sector 15 Rohini. The block itself remained deserted for some years haunted by its ghastly past. Initially the deserted houses were systematically stripped of brick, stone, wood and metal. The half way houses became the haven for drug pushers and smack addicts. 'The land of the dead' as *Indian Express* reported on 4 July 1988, became 'the land of the living dead'. But gradually things changed. None of the survivors came back, but jhuggi dwellers from nearby clusters and new migrants from U.P. and Bihar came and settled here. Most of the houses are rebuilt and it once again became a congested resettlement colony. The composition of people changed but not the sanitary conditions of the block. A revealing reflection was the difference between the plot rates between block 32, and say block 35 or 36. Our informal inquiries with the local property dealers in October 1992 put the gap around Rs. 25-30,000 per plot. One reason is also the legality of ownership. Most of the original inhabitants could not complete payment of their due instalment before the carnage. Till the amount is recovered, technically DDA cannot re-allot the houses or rebuild them. And since the amount cannot possibly be recovered from the surviving members of the family who left the area for good, scattered in different places, the problem remains. And so does the empty ground where now stray dogs move around the garbage. A symbol of the failure of our welfare state and democratic polity tucked inside the unremembered alleys of Trilokpuri.

the officials including the six SHOs named in the PUDR-PUCL report. Altogether, the Mittal report indicts five of then DCPs, four of the then ACPs and 22 of the then SHOs.

Sewa Das and Chandra Prakash again moved the High Court and prayed for quashing the notification appointing the Kapoor-Mittal panel. The case had to be shifted from one bench to the other since the first bench included Justice R.L. Gupta. He was earlier secretary to Mishra Commission of inquiry which gave birth to Kapoor-Mittal Committee. The High Court refused stay. Meanwhile other officials fearing impending action moved Central Administrative Tribunal (CAT) which also rejected their petition. Another set of officials again moved the High Court on different grounds. Vexed by these tactics, Justice B.N. Kripal was constrained to say, "The whole thing became a farce. Your clients (the policemen) thwarted every investigation since 1984". His colleague on the bench, Justice B.K. Bahri described the whole thing as "A shocking chapter in our independent history and all of us are a part of it". Finally on 16 September 1992, the court gave a green signal to the government to serve charge-sheets against the police officials. But a week later, on 21 September, Supreme Court issued a stay on the proceedings, on a petition file by Sewa Das and Chandra Prakash. The case is now adjourned. That is where the matter rests for the present as far as the accused policemen are concerned.

More tortuous was the course of the third committee recommended by the Mishra Commission to "recommend the registration of cases where necessary and to monitor the investigation thereof". It was headed by Justice M.L. Jain, a retired judge of Delhi High Court and Mr. A.K. Banerjee of Delhi High Court. The Jain-Banerjee panel received about 400 affidavits in addition to the 669 it inherited from the Mishra Commission. After taking eight months, the panel recommended three cases. In the first case, no accused were named and hence the notion of prosecution has no meaning. In the second case the panel recommended appeal against the sessions court judgement, but it was rejected by the Lt. Governor. In the third case Congress(I) leader Sajjan Kumar was an accused. Initially the Lt. Governor did not respond. Then suddenly one of the co-accused in the case filed a petition challenging the appointment of the panel. The honourable judges without issuing notice to any other party issued a stay order. The judges include Justice J.C. Jain, and once again Justice Yogeshwar Dayal. Justice Jain voluntarily

withdrew from the bench following public criticism. For, a party hosted by him was attended by H.K.L. Bhagat. Justice Jain was replaced by Chief Justice R.N. Pyne. Meanwhile Justice Dayal was replaced by Justice D.P. Wadhwa. But Wadhwa became busy with the Inquiry over Tis Hazari lawyers strike. Just when he became free the case was transferred to Justice B.N. Kripal and Justice C.L. Choudhury, in July 1989. All the time Jain and Banerjee pathetically attempted to have their panel represented before the High Court. The Government did not allow them to have a counsel of their choice. Nor did it make any serious effort to have the stay vacated. But the term of the panel already extended thrice expired in August 1988 itself. More than a year later this lifeless panel was quashed by the High Court in October 1989.

Soon after, the Janata Dal government came to power, rekindling hopeless hopes of justice. The new government transferred all pending cases to three courts. One each in Shahdara, Patiala House, and Tis Hazari. In March 1990 the government appointed a fresh committee to complete the task left incomplete by Jain and Banerjee. The new committee was headed by Justice P.S. Poti, former judge of Gujarat High Court, and P.A. Rosha, a retired IPS officer. The Poti-Rosha panel examined over 1,000 affidavits and recommended 30 cases for prosecution. Once again the case against Sajjan Kumar was included. CBI made an abortive attempt to arrest him. When the team reached his house on 11 September 1990, a mob surrounded them and they were held captive for more than four hours. As per the affidavit filed by the CBI later in the court, "the Delhi Police, far from trying to disperse the mob sought an assurance from CBI that he (Sajjan Kumar) would not be arrested". CBI also disclosed that the file relating to the case prepared by the Jain-Banerjee panel was found in Sajjan Kumar's house. According to the CBI affidavit the then government counsel R.K. Anand never returned the file. Mr Anand in this case represented Sajjan Kumar. And got him anticipatory bail while the CBI team was being held captive. In protest against the manner in which the government handled the case, reportedly both Poti and Rosha resigned. In any case, the term of the panel came to an end a month later in October 1990.

Few months later yet another committee was appointed to carry on the task, left behind by the earlier committee. This time it was headed by J.D. Jain, and D.K. Aggarwal. Once again the

familiar combination of a retired High Court Judge and a retired IPS officer. The committee recommended 48 cases for registration. Meanwhile in March 1992, Home Ministry decided to hand over '22 sensitive cases for further probe' to CBI. All of them relate to Congress(I) leaders and prosecution of the accused politicians, for the present, rests there.

Prosecution

Upto about July 1992, a total of 578 cases were instituted

Number of accused	2341
Number of accused in murder cases	1286
Number convicted	128
Number convicted in murder cases	12

but in a number of cases the First Information Reports (FIRs) do not mention any names. Hence they have no meaning. In effect, only 309 cases (accused 2341) were launched. As far as we were able to gather, only 14 cases resulted in conviction of about 128 people.

The convictions tell their own tale of justice. Ten persons, for instance, were fined Rs 25 for violating curfew orders in Connaught Place (S. 188 IPC). Others include those who committed theft (S. 382 IPC, the maximum punishment for which may extend for ten years), or criminal trespass (S. 441 and 447 IPC, the maximum punishment for which is three months). In a case in Deshbandhu Gupta road, one Surinder Kumar was convicted under all these sections. He was 'let off with a personal bond of Rs 2000 and was also bound to good behaviour for one year' by court order. In Dakshinpuri, 2 persons were convicted for five years for making 'mischief by fire or explosive substance with intent to destroy house' (S. 436 IPC), and 'rioting armed with deadly weapons' (S. 148 IPC).

In all these cases only three relate to murder. Six persons were convicted for murdering three Sikh boys in Mahabir

Enclave, Delhi Cantonment (October 1988). Three were convicted for murdering three persons in Sultanpuri (April 1991). And again three were convicted for murdering four members of a Sikh family in Sultanpuri (April 1992). In all, only these twelve persons were convicted for life term for murdering ten Sikhs. But presumably they are all on parole now, as they have gone to appeal to High Court. And this is all that is there to report eight years after those four days in which about 2733 people were killed in the capital of our Republic.

Far more in number are acquittals. In most cases lack of sufficient evidence is the reason. Or the deliberate laxity of the prosecution. In a recent judgement five persons were acquitted in Netaji Nagar and the Judge ruefully noted 'the prosecution was given several opportunities to produce the remaining witnesses but it could not produce them' (March 1992). Some of the dismissed cases relate to murder. The most recent was acquittal of twenty-eight persons in a murder case at Jehangirpuri (September 1992). In Narela (State Vs Chandan and others) two widows Tarseen Kaur and Devinder Kaur identified the main accused, Chandan a local milk vendor, as part of the mob that killed their husbands. But the honourable judge was convinced by the defence argument that the two widows named the accused Chandan, 'to escape paying their dues for three months of milk supply'. The additional public prosecutor in a rare instance recommended that the state should challenge the decision in the High Court. It was rejected. Another case (State Vs Kundan and others) was dismissed due to the 'unreliability of the eyewitness account'. The eyewitness Miss Amarjeet Kaur was the sole surviving member of the joint family that was killed by the mob. As the mob attacked she had taken shelter with neighbouring women. The judge found 'the attitude and conduct of the witness strange. Her kith and kin were butchered and she had the audacity to say that she took shelter with a crowd of women'. In Zakhira (State Vs Mahesh and others) the accused poured kerosene on group of Sikhs and burnt them to death. But maintaining they had 'no intention to kill' prosecution registered a case not of murder but 'culpable homicide not amounting to murder'. The case was dismissed. In fact this was the case which the Jain-Banerjee panel felt should be reopened. But the Government rejected it. In all 123 cases were dismissed. We are not aware of any instance where state approached High Court on appeal.

Cases instituted: 578

Cases launched: 309

Conviction
Acquittals: 14

Cases Pending: 172

Acquittals
Convictions: 123

About 172 cases are pending before the courts. In some of the cases FIRs are registered but no formal proceedings in the court are launched. They include the FIR number 348/92 at Shakarpur police station (S. 147, 148, 149, 345, 427, 436, 454 and 380 IPC) and FIR number 374/92 at Trilokpuri police station (S. 147, 148, 149, 295, 395, 426, and 440 IPC). The accused common to both these FIRs is Harkishan Lal Bhagat. (One of the charges against this former central cabinet minister and for a long time the uncrowned king of trans-Yamuna is 'mischief causing damage to the amount of fifty rupees', S. 427 IPC). Similarly Sajjan Kumar's name figures in two FIRs in Saraswati Vihar and Sultanpuri police stations. All these cases involving political leaders are being handled by CBI. Recently Home Minister hinted at further delay in these cases as 'CBI has complained of lack of personnel to handle the cases'. And there rests, for the present, the prosecution of the accused.

End of the Road?

This sickening process and its monotonous details are only matched by the cant, criminality and farce of the political processes.

First the farce. In 1984, one of the Congress(I) leaders accused of conniving with the rampaging mobs was Dharam Das Shastri, M.P. from Karol Bagh reserved constituency. He contested the 1984 elections and won. But in 1991 he was denied a ticket. He promptly then 'disclosed' that Congress(I) leaders

'planned the riots in 1984'. At a more serious level Congress(I) continues to protect, if not reward, the accused in its ranks. One of them became a Union Minister subsequently and is presently president of DPCC(I). In the cases against them even after recommendation by three committees the government is procrastinating by ordering still further probe by the CBI.

The opposition parties are no less guilty of callousness. We should recall that none of them were conspicuous in the four days that shook the city. Nor did any one of them participate in the Mishra Commission of Inquiry. When their government came to power there was some hope of justice but its record turned out to be as callous as that of Congress(I). Only when elections are round the corner they make some noise. Since the carnage two parliaments have come and gone. And a third is on. In all these eight years, according to the published records of proceedings there were only three general discussions and 28 short duration questions on the issue in the parliament.

As the administration refuses to administer, prosecution refuses to prosecute and courts close their doors, all institutions lost their credibility. The political parties, parliament, judiciary, constitution and in an extended sense democracy as a system of governance failed the victims. If in the end justice became merely an uncared for orphan, matters would have rested there. But the baby is now adopted by the Khalistani communal terrorists.

Perhaps no single aspect of the Punjab problem contributed as much to the khalistani propaganda the world over, as the failure of democratic institutions in the case of 1984 carnage. Sikh community as a whole may not be convinced of it. But who can deny the seeming realities of this pathological state of affairs? In Mrs Indira Gandhi assassination case the report of the judicial commission was never placed even in the parliament. Two persons, Satwant Singh and Kehar Singh were convicted and executed. Six months after their execution the government filed a second charge-sheet in which persons who never figured in their trial were named as accused. The second charge-sheet was later withdrawn as hastily as it was filed. Recently Sukhdev Singh (Sukha) and Harjinder Singh (Jinda) were executed in General A.S. Vaidya assassination case. Both of them were convicted under Terrorist and Disruptive Activities (Prevention) Act (TADA). They were the first and so far the

only convicts to be hanged under the Act. But the Supreme Court has yet to decide the constitutional validity of the Act. Supposing the court is to strike down the Act as unconstitutional, will any one give back life to the hanged convicts? These questions, some real, and many more propaganda material for the communalists, will haunt our future, whether or not we care to remember these past eight years of aftermath.

The importance of memory against forgetting is that those who forget the past are condemned to relive it. Perhaps in a more horrendous manner than they are prepared to visualise now. Failure of democratic institutions, when they fail, is never the end of any story. It only marks a beginning. This report by Peoples Union for Democratic Rights thus reflects a hope and an attempt to resist the hoodlum years to come.

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